FILED
U.S. DISTRICT COURT
SAVANNAH DIV.
2010 MAY 10 PM 4: 41
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SO. DIST. OF GA.

UNITED STATES DISTRICT COURT FOR THE

SOUTHERN DISTRICT OF GEORGIA

SAVANNAH DIVISION

UNITED STATES OF AMERICA	)	**INDICTMENT NO. CR410 106**
	)	
v.	)	
	)	**VIO: 18 U.S.C. § 1344**
CHARLES BROWN	)	**Bank Fraud**
	)	

THE GRAND JURY CHARGES:

At all times material to this Indictment:

INTRODUCTION

1. Defendant **CHARLES BROWN** and his wife "A.B." owned a residence located at 4720 Meadow Avenue, Savannah, Georgia, 31405, which was damaged by fire.

2. **BROWN** had filed a fire insurance claim with Georgia Underwriting Association who had underwritten the fire insurance for the residence.

3. At the same time that **BROWN** filed a fire insurance claim, the residence was in foreclosure for past due mortgage payments.

4. Chase Home Finance was the mortgage company that initiated foreclosure procedures against **BROWN**'s residence and requested an interest in the fire insurance claim.

5. **BROWN** maintained a bank account at Branch Banking & Trust Company ("BB&T"), a federally insured financial institution located in Savannah, Georgia.

COUNT ONE
(18 U.S.C. § 1344 - Bank Fraud)

6. Paragraphs 1-5 of the Indictment are incorporated as if fully set forth herein.

7. That from on or about January 13, 2009, the exact date being unknown, and continuing through on or about April 29, 2009, in Chatham County, within the Southern District of Georgia, the Defendant,

CHARLES BROWN

knowingly and willfully executed a scheme and artifice to defraud BB&T, located in Savannah, Georgia, whose deposits were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys from BB&T, by means of false and fraudulent pretenses, representations, and promises, using the manner and means identified below, which manner and means were material to the scheme, and which scheme resulted in **BROWN** receiving approximately $37,392.96 to which he was not entitled.

8. On or about January 13, 2009, Defendant **BROWN** received BB&T check number 318616 issued to "A.B. and Chase Home Finance" in the amount of $37,392.96 from Georgia Underwriting Association as payment for a fire insurance claim.

9. On or about January 16, 2009, **BROWN** gave said check to his sister, "C.E.," to cash for him at Bank of America, instead of handing over the check to Chase Home Finance which had an interest in the claim. **BROWN** used the cash to pay another mortgage company who no longer had an interest in the residence.

10. On or about February 19, 2009, BB&T returned said check to Bank of America due to improper endorsement by **BROWN** and returned a legal photocopy of the check to

BROWN's wife, "A.B."

11. To execute and attempt to execute his scheme and artifice to defraud, on or about March 4, 2009, without authorization and with the intent to defraud, **BROWN** then deposited the returned copy of said check into his BB&T account and, with such funds, purchased a cashier's check for "C.E."

12. Chase Home Finance reported to Georgia Underwriters that they never received said check, thereby causing Georgia Underwriters to request a debit reversal from BB&T on said check, and causing BB&T to sustain a loss of $37,392.96.

All done in violation of Title 18, United States Code, Section 1344.

A True Bill.

Foreperson

Edward J. Tarver
United States Attorney

James D. Durham
First Assistant United States Attorney

Brian T. Rafferty
Criminal Division Chief

Natalie Lee*
Assistant United States Attorney

* Denotes lead counsel